

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
	)	MM Docket No. 00-167, DA 07-1716
Children's Television Obligations	)	
of Digital Television Broadcasters	)	

**JOINT COMMENTS OF THE ASSOCIATION OF PUBLIC TELEVISION  
STATIONS AND THE PUBLIC BROADCASTING SERVICE**

The Association of Public Television Stations ("APTS")<sup>1</sup> and the Public Broadcasting Service ("PBS")<sup>2</sup>, (collectively referred to as "Public Television") hereby submit these comments in response to the Commission's Public Notice in the above-captioned proceeding.<sup>3</sup> In its Notice, the Commission seeks comments on the status of children's television programming and compliance with the Children's Television Act and the Commission's rules.

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<sup>1</sup> APTS is a non-profit organization whose membership comprises the licensees of nearly all of the nation's CPB-qualified noncommercial educational television stations. The APTS mission is to support the continued growth and development of a strong and financially sound noncommercial television service for the American public.

<sup>2</sup> PBS is a media enterprise that serves 355 public noncommercial television stations and reaches almost 90 million people each week. Bringing diverse viewpoints to television, PBS provides high-quality documentary and dramatic entertainment, and consistently dominates the most prestigious award competitions. PBS is a leading provider of educational materials for K-12 teachers and offers a broad array of other educational services. PBS's premier kids' television programming and website, PBS KIDS Online (pbskids.org), continue to be parents' and teachers' most trusted learning environments for children.

<sup>3</sup> Public Notice, *Commission Seeks Comment on the Status of Children's Television Programming*, MB Docket No. 00-167, DA 07-1716 (April 17, 2007) ("Notice").

Quite simply, the state of children’s television programming on Public Television is better than ever. Children’s programming is the centerpiece of Public Television’s lineup, with most local stations broadcasting 10 or more hours per day of “core” educational and informational programs. In addition, Public Television complements its award-winning television programming with coordinated local outreach activities through programs such as the PBS *Ready to Learn*<sup>4</sup> initiative, and utilizes the internet to provide safe, informative, and interactive websites for toddlers through teens. Finally, Public Television is leveraging the digital transition to deliver enhanced educational services through multicasting and datacasting. For all these reasons, children’s programming is thriving on Public Television, and licensees should continue to be exempt from the Commission’s reporting requirements.

**I. Children’s Programming is the Centerpiece of Public Television’s Offerings**

Consistent with its statutory mission to serve the educational needs of children, Public Television displays an unmatched commitment to quality children’s educational and informational programming. Programs such as *Arthur*, *Cyberchase*, *Postcards from Buster*, *DragonflyTV*, *Fetch* and *Zoom*—all produced or co-produced by local public television stations—contribute to an outstanding schedule of children’s educational programming that also includes classics *Sesame Street*, *Mister Rogers’ Neighborhood* and *Reading Rainbow*, as well as independently produced programs such as *Clifford the Big Red Dog*, *Barney* and

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<sup>4</sup> *Ready to Learn* is a registered trademark of PBS.

*Friends*, *Maya & Miguel*, and *It's a Big Big World*. In 2007, PBS's lineup, which features blocks of programming designed for preschoolers (PBS KIDS) and early elementary school students (PBS KIDS GO!), was nominated for 18 Daytime Emmy Awards, more than any other cable or broadcast media.

Though Commission rules recommend that broadcast stations air at least three hours per week of "core" educational and informational children's programming,<sup>5</sup> most public television stations broadcast much more than three hours *per day* of core programming.<sup>6</sup> For example:

- WNET, which services the New York metropolitan area, airs 7.5 hours of core programming each weekday, from 7-11:30 a.m. and 2:30-5:30 p.m.
- WNPT, the Nashville, Tennessee public television station, airs 11 hours of core programming each weekday, from 7 a.m. to 6 p.m.
- KPTS in Wichita, Kansas, airs 8 hours of core programming each weekday, from 7 a.m. to 1 p.m. and 3-5 p.m.
- KCET in Los Angeles airs 7.5 hours of core programming each weekday from 7 a.m. to 1 p.m. and 2-4:30 p.m.<sup>7</sup>

Public Television sees children's educational and informational programming as central to its mission to serve the public interest, and local public television stations

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<sup>5</sup> See 47 CFR 73.671.

<sup>6</sup> Complete listings of children's programming for each PBS member station can be found at <http://pbskids.org/tvschedules/>.

<sup>7</sup> These tallies do not include programming that would be considered "core" except that it airs earlier than 7 a.m. Most stations, to accommodate the many children who rise before 7 a.m., broadcast children's educational and informational programming beginning at 5 or 5:30 a.m. Children's programming lineups for all PBS stations are available at <http://pbskids.org>.

view the FCC's three-hour-per-week core programming guideline not as an obstacle, but as a baseline that each station far surpasses.

## **II. Public Television Further Serves the Educational Needs of Children Through Coordinated Programming, Local Outreach and Internet Offerings.**

Children's television programming is one element of a multi-faceted program designed and carried out by Public Television to enhance the educational experience of preschool and school-age children. A compelling example of Public Television's commitment to children's programming and the use of grassroots outreach and varied media to enhance the effectiveness of that programming is its activities in conjunction with the *Ready to Learn®* initiative, made possible by funding from the Department of Agriculture.

A primary goal of the *Ready to Learn®* initiative, which is intended to promote school readiness and success for children ages 2-8, is to encourage the development of effective educational programming. Previous *Ready to Learn®* grants have funded award-winning public television programs such as *Sesame Street* and *Between the Lions* that have helped young children build the cognitive, problem-solving, and social/emotional skills they need for school success. The current *Ready to Learn®* initiative grantees—the Corporation for Public Broadcasting (“CPB”) in partnership with PBS, and the Ready to Learn Partnership (RTLTP) through public television station WTTW in Chicago—are focused on developing programs and coordinated resources that help young children build strong pre-reading and reading skills. Among the programs being developed through *Ready to Learn®* initiative grants:

- **Super Why!** This series, set to launch in fall of 2007, is an animated series for children ages 3-6 that helps kids learn to read through interactive fairytale adventures.
- **Word World.** In this computer-animated preschool series, set to launch in fall of 2007, fun-loving “WordFriends” morph into life when letters are placed together to form a word, and then go on “WordPlay” adventures.
- **Martha Speaks.** Created by Boston public television station WGBH and set to launch in fall of 2008, this animated television series, website, and outreach campaign feature the humorous adventures of the loveable talking dog Martha from the popular children’s book series.
- **The New Electric Company.** Sesame Workshop, producer of *Sesame Street* and the original *Electric Company*, will reinvent the classic show of the 1970s and 1980s as a multi-screen and outreach educational experience, set to launch in fall of 2008.

In addition, *Ready to Learn*® is prioritizing outreach and research to increase the impact of children’s educational programming, and Public Television has been integral in these efforts:

- **Testing new ways for kids and parents to view programs.** In 2006, PBS, Sesame Workshop and several other companies, with the assistance of *Ready to Learn*® funding, partnered to evaluate the educational effectiveness of cell phone streaming technology. The study results suggested that cell phones are a promising new tool to increase early literacy skills, and found that the video content and delivery pairing made the most impact among those participating households at or below the poverty line.<sup>8</sup> Capitalizing on these findings, WTTW, a local public television station in Chicago, is co-producing three new programs that will be brought to audiences through television, the Internet, handheld devices, and other emerging technologies.
- **Exploring new ways to ensure that children from all socio-economic levels have the resources they need to learn to read.** On both the local and national levels, Public Television is engaged in outreach to promote literacy among low-income families. Currently, 133 local public television

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<sup>8</sup> See PBS Kids Ready to Learn Cell Phone Study Report, *available at* [http://www.pbs.org/readytolearn/research/PBS\\_CPS\\_Report.pdf](http://www.pbs.org/readytolearn/research/PBS_CPS_Report.pdf)

stations receive funding from CPB as “Ready to Learn stations” and do the following: (1) air at least 6.5 hours of PBS Kids programming each day; (2) give special attention to serving identified priority audiences; (3) conduct at least 20 workshops for parents, teachers and caregivers; (4) distribute free children’s books and PBS Families magazine; and (5) develop collaborative relationships with early childhood and family educational and service organizations in their communities. In addition, CPB and PBS are conducting a national campaign to increase awareness of the *Ready to Learn*<sup>®</sup> initiative, and is launching intensive local “Literacy 360” campaigns in 20 cities over five years, that will create community partnerships to reach and connect with low-income families.

- **Evaluating rigorously the outcomes of children’s exposure to television programming and other content.** Top researchers from around the country are working with CPB, PBS and the Ready to Learn Partnership to provide reliable information about early literacy, the impact of poverty on school readiness, and the role of electronic media on learning, for use by producers in creating new children’s programs. In September 2006, CPB and PBS sponsored a national conference entitled “Pathways to Literacy Achievement for High Poverty Children” that brought together major researchers, educators, and government officials.

Finally, PBS and local public television stations are utilizing the internet to provide safe, entertaining, and educational website destinations for children. For example, KCTS in Seattle produces a website entitled “Don’t Buy It: Get Media Smart”<sup>9</sup> that encourages children to think critically about media and become intelligent consumers. Activities on the site, such as “Question the Commercial” and a “TV vs. Life” quiz, are designed to provide kids with some of the skills and knowledge needed to question, analyze and evaluate media messages. In connection with its “American Experience” television series, WGBH produces a website entitled “Wayback: U.S. History for Kids”<sup>10</sup> that features games, stories,

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<sup>9</sup> See <http://pbskids.org/dontbuyit/>

<sup>10</sup> See <http://pbskids.org/wayback/>

and forum for kids to provide their views on various historic topics, including presidents, aviation, and civil rights. New York public television station WNET produces engaging sites entitled “Big Apple History”<sup>11</sup> and “Africa For Kids,”<sup>12</sup> an offshoot of the “Africa” television series.

### **III. Public Television Is Leveraging the Analog-to-Digital Transition to Deliver Enhanced Educational Services**

Consistent with its embrace of the transition to digital-only broadcasting, Public Television is utilizing its new digital capabilities to deliver educational services for children through multicasting and datacasting. Several local public television stations are using their multicasting capabilities to provide dedicated children’s/instructional channels. For example, Milwaukee Public Television boasts a 24-hour children’s programming stream, and the statewide public television network in Kentucky offers a digital broadcast channel for Kentucky schools that provides more than 200 instructional series and programs each year.

In addition, public television stations have dedicated a portion of their digital bandwidth to providing educational data, and several licensees have demonstrated the power of this kind of data service for the education of children:

- The Wisconsin Educational Communications has used digital technology to deliver educational data overnight to local schools with computers equipped with DTV tuner cards. In two Madison elementary schools, fourth-graders are now able to view video segments of downloaded material as many times as they wish and can explore additional resources such as graphics, written materials, and audio

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<sup>11</sup> See <http://pbskids.org/bigapplehistory/>

<sup>12</sup> See <http://pbskids.org/africa/>

recordings. The enhanced resources include video segments, maps, photographs, historical documents and tours designed to help guide student learning.

- New Jersey Network has produced original video content, which it datacasts to a media server located in Columbus Elementary School in Trenton, the pilot site. Teachers may then download from the server “on-demand” course supplements and NJN's customized, modular video segments to enhance the content in the lesson plan.
- KCPT (Kansas City, Missouri) is currently running a pilot project for datacasting to schools and colleges. The project will take datacasting from content preparation through delivery to two K-12 schools and two colleges and evaluate technical and instructional support needed by the end users. KCPT is using locally produced video and web content for the project, including *Water and Fire, the Story of the Ozarks* and *Uniquely Kansas City*.

#### **IV. A Continued Exemption From the Reporting Requirement Will Assist Public Television in Serving the Public Interest**

Recognizing that public television has an exemplary track record in providing educational children’s programming and non-broadcast services directed toward children’s education, and acknowledging the Congressional intent in the Children’s Television Act to relieve public television stations of burdensome regulations, the FCC in 1996 exempted noncommercial stations from the reporting and public identification requirements with respect to children’s “core” educational programming.<sup>13</sup> In 2004, the Commission extended the reporting exemption to apply to digital children’s programming.<sup>14</sup> Public Television commends the

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<sup>13</sup> *Policies and Rules Concerning Children’s Television Programming; Revision of Programming Policies for Television Broadcast Stations*, Report & Order, FCC 96-335, 11 FCC Rcd 10660 n.119 (August 8, 1996).

<sup>14</sup> *Children’s Television Obligations of Digital Television Broadcasters*, Report & Order, FCC 00-167 (November 23, 2004).



Commission for this action because the money and resources Public Television saves due to the exemption enable it to fulfill its core mission more effectively. In light of Public Television's continued commitment to quality educational children's programming in both the analog and digital context, and in view of Public Television's extensive non-broadcast initiatives designed to enhance the education of children, APTS and PBS urge the Commission to maintain the reporting exemption with respect to digital children's programming.

Respectfully submitted,

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Lonna M. Thompson  
Vice President, Policy and Legal Affairs  
Malena F. Barzilai  
Association of Public Television  
Stations  
666 11<sup>th</sup> Street, N.W.  
Suite 1100  
Washington, D.C. 20001  
Phone: 202-654-4200  
Fax: 202-654-4236

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Katherine Lauderdale  
Senior Vice President and General  
Counsel  
Daniel Amin  
Attorney  
Public Broadcasting Service  
2100 Crystal Drive  
Arlington, Virginia 22202  
Phone: 703-739-5000  
Fax: 703-837-3300

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